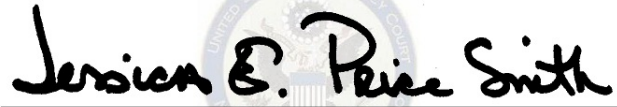


IT IS SO ORDERED.

Dated: 16 January, 2020 03:13 PM

A handwritten signature in black ink that reads "Jessica E. Price Smith". The signature is written in a cursive style. In the background, there is a faint circular seal of the United States Bankruptcy Court for the Northern District of Ohio.

JESSICA E. PRICE SMITH  
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE:

JASON A. GIESE

DEBTOR.

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JASON A. GIESE

PLAINTIFF.

v.

IN PROCEEDINGS UNDER CHAPTER 7

CASE NO. 19-10011

ADV. NO. 19-1043

JUDGE JESSICA E. PRICE SMITH

SALLIE MAE, ET AL,

DEFENDANTS.

**ORDER**

This matter came before the Court on Plaintiff's Motion for this Court to Address Counsel in Formal Hearing on the Record (Doc. No. 10). Mr. Giese retained attorney Donald Harris to represent him in his Chapter 7 bankruptcy case and in this adversary proceeding to discharge his student loan debt. The adversary was filed on May 29, 2019, after Debtor's bankruptcy case was closed. A show cause issued for that on July 30, 2019. A motion to reopen was filed on August 14, 2019 but was not noticed and counsel received a deficiency (Doc. No.

23). Because of the notice error, the motion to reopen was not granted until October 28, 2019.

At the January 15, 2020 hearing on Mr. Giese's Motion to Address Counsel, he expressed frustration with the legal representation he has received from Mr. Harris. Attached to Mr. Giese's motion was an email from Mr. Harris informing him that he would be retiring at the end of November 2019, and no longer representing Mr. Giese. However, as of January 15, a motion to withdraw as counsel had not been filed.

Because of the prosecution issues and Mr. Giese's desire to amend his complaint, the adversary proceeding is dismissed. Debtor's bankruptcy case will remain open for 90 days to give Mr. Giese the opportunity to determine how he wants to proceed with respect to his student loan debt. The Court retains jurisdiction to consider sanctions against Mr. Harris for failure of representation. Mr. Giese's Motion for this Court to Address Counsel is granted and a separate show cause order will issue.

**IT IS SO ORDERED.**